

ENVIRONMENTAL

AMENDED

NO. 63068-E

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office APR 30 1997
Returned to applicant for correction MAY 13 1997
Corrected application filed JUN 03 1997
Map filed JUN 03 1997

The applicant Circle K Stores Inc., hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is the shallow groundwater aquifer of Las Vegas, Nevada

2. The amount of water applied for is 0.0668 second-feet

(a) If stored in reservoir give number of acre-feet n/a

3. The water to be used for groundwater remediation

4. If use is for:

(a) Irrigation, state number of acres to be irrigated n/a

(b) Stockwater, state number and kinds of animals to be watered n/a

(c) Other use (describe fully under No. 12. "Remarks") groundwater remediation

(d) Power:

(1) Horsepower developed n/a

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point see attached

6. Place of Use Legal description: SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 31, Township 20 South, Range 61 East, M.D.B.M., City of Las Vegas, Clark County, Nevada Address: Circle K Store No. 695, 428 South Valley View Bld. Las Vegas, Nevada

7. Use will begin about January 1 and end about December 31 of each year.

8. Description of proposed works See attachment A (submitted with original application)

9. Estimated cost of works \$70,000

10. Estimated time required to construct works approximately 3 weeks

11. Estimated time required to complete the application of water to beneficial use Approximately 3 years or until groundwater contaminant concentrations reach levels acceptable to the Nevada Division of Environmental Protection.

12. Remarks: Groundwater will be pumped from 9 wells. Seven (7) wells will be pumped from a very shallow zone (<10 feet bgs) and two wells will be pumped from a "deeper" zone (approx. 25 feet bgs). The water weill be pumped to a shallow tray air stripper for treatment, polished in a carbon canister and discharged to a storm drain.

By s/Myron W. Smith
P. O. Box 52084
Phoenix, AZ 85072-2084

Compared my/bk cl/cms

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance for pollution control as mandated by orders issued by the Nevada Division of Environmental Protection and subsequent correspondence with said agency. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and records of this measurement shall be submitted on an annual basis. It is also understood that this right must allow for a reasonable lowering of the static water level of permittee's well due to other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. The State retains the right to regulate the use of water granted herein at any and all times.

This permit is issued pursuant to the provisions of NRS 533.4375. Well drillers reports for any well(s) drilled under this permit shall be filed within 30 days from completion of the well.

Within 30 days after the completion of the project, the permittee shall notify the State Engineer of such completion and all wells shall be plugged and abandoned in accordance with Chapter 534 of the Nevada Administrative Code.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 2)

(PERMIT TERMS CONTINUED)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0668 cubic feet per second, but not to exceed 48.36 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before: _____

Proof of completion of work shall be filed before: _____

Application of water to beneficial use shall be filed on or before: _____

Proof of the application of water to beneficial use shall be filed on or before: _____

Map in support of proof of beneficial use shall be filed on or before: _____

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* The right will cease to exist upon termination of clean up activity as determined by the Nevada Division of Environmental Protection.

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,
State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 4th day of September, A.D. 1997

R. Michael Turnipseed P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

MW-3

SE 1/4 NE 1/4 Section 31, T. 20 S., R. 61 E., M.D.B.&M., or at
a point from which the E corner of (said) Section 31, T. 20 S.,
R. 61 E., M.D.B.&M. bears S 44° 17' 24" E a distance of
150.02 feet.

VE-7

SE 1/4 NE 1/4 Section 31, T. 20 S., R. 61 E., M.D.B.&M., or at
a point from which the E corner of (said) Section 31, T. 20 S.,
R. 61 E., M.D.B.&M. bears S 38° 31' 27" E a distance of
134.45 feet.

1/4 1/4 Section , T. S., R. E., M.D.B.&M., or at
a point from which the corner of (said) Section , T. S.,
R. E., M.D.B.&M. bears a distance of
 feet.

1/4 1/4 Section , T. S., R. E., M.D.B.&M., or at
a point from which the corner of (said) Section , T. S.,
R. E., M.D.B.&M. bears a distance of
 feet.

1/4 1/4 Section , T. S., R. E., M.D.B.&M., or at
a point from which the corner of (said) Section , T. S.,
R. E., M.D.B.&M. bears a distance of
 feet.

1/4 1/4 Section , T. S., R. E., M.D.B.&M., or at
a point from which the corner of (said) Section , T. S.,
R. E., M.D.B.&M. bears a distance of
 feet.

1/4 1/4 Section , T. S., R. E., M.D.B.&M., or at
a point from which the corner of (said) Section , T. S.,
R. E., M.D.B.&M. bears a distance of
 feet.

VE-10

SE 1/4 NE 1/4 Section 31, T. 20 S., R. 61 E., M.D.B.&M., or at
a point from which the E 1/16 corner of (said) Section 31, T. 20 S.,
R. 61 E., M.D.B.&M. bears S 68° 51' 28" E a distance of
94.71 feet.

VE-4

SE 1/4 NE 1/4 Section 31, T. 20 S., R. 61 E., M.D.B.&M., or at
a point from which the E 1/16 corner of (said) Section 31, T. 20 S.,
R. 61 E., M.D.B.&M. bears S 70° 32' 48" E a distance of
118.79 feet.

VE-9

SE 1/4 NE 1/4 Section 31, T. 20 S., R. 61 E., M.D.B.&M., or at
a point from which the E 1/16 corner of (said) Section 31, T. 20 S.,
R. 61 E., M.D.B.&M. bears S 58° 19' 39" E a distance of
103.31 feet.

VE-5

SE 1/4 NE 1/4 Section 31, T. 20 S., R. 61 E., M.D.B.&M., or at
a point from which the E 1/16 corner of (said) Section 31, T. 20 S.,
R. 61 E., M.D.B.&M. bears S 59° 31' 34" E a distance of
132.09 feet.

MW-2

SE 1/4 NE 1/4 Section 31, T. 20 S., R. 61 E., M.D.B.&M., or at
a point from which the E 1/16 corner of (said) Section 31, T. 20 S.,
R. 61 E., M.D.B.&M. bears S 56° 39' 31" E a distance of
103.43 feet.

VE-8

SE 1/4 NE 1/4 Section 31, T. 20 S., R. 61 E., M.D.B.&M., or at
a point from which the E 1/16 corner of (said) Section 31, T. 20 S.,
R. 61 E., M.D.B.&M. bears S 47° 09' 35" E a distance of
116.48 feet.

VE-6

SE 1/4 NE 1/4 Section 31, T. 20 S., R. 61 E., M.D.B.&M., or at
a point from which the E 1/16 corner of (said) Section 31, T. 20 S.,
R. 61 E., M.D.B.&M. bears S 46° 46' 40" E a distance of
152.09 feet.